

17691 U.S. PTO  
06/20/03

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PTO/SB/05 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 100727-55/Heraeus 407-KGB  
First Inventor Dr. Sebastian VOGT et al  
Title SEE APPLICATION DATA SHEET  
Express Mail Label No. EV 208799437 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)  
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.

3. ☒ Specification (Total Pages )  
(preferred arrangement set forth below)  
- Descriptive title of the invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table,  
or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure

4. ☐ Drawing(s) (35 U.S.C. 113) (Total Sheets )

5. Oath or Declaration (Total Pages )  
a. ☐ Newly executed (original or copy)  
b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)  
i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).

6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)  
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or  
ii. ☐ paper  
c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))  
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)  
11. ☐ English Translation Document (if applicable)  
12. ☒ Information Disclosure ☒ Copies of IDS  
Statement (IDS)/PTO-1449 Citations  
13. ☐ Preliminary Amendment  
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)  
15. ☒ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)  
16. ☐ Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.  
17. ☒ Other: Express Mail Certificate

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Group / Art Unit \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied  
under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by  
reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label



or ☐ Correspondence address below

(Insert Customer No. or attach bar code label here)

PATENT TRADEMARK OFFICE

Name				
Address				
City	State	Zip Code		
Country	Telephone	Fax		

Name (Print/Type) KURT G. BRISCOE

Registration No. (Attorney/Agent) 33,141

Signature

Date

6-19-03

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any  
comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office,  
Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box  
Patent Application, Washington, DC 20231.

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$750.00

## Complete if Known

Application Number	To Be Assigned
Filing Date	Herewith
First Named Inventor	Dr. Sebastian VOGT, et al
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned
Attorney Docket No.	100727-55/Heraeus 407-KGB

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 14-1263

Deposit Account Name: Norris McLaughlin & Marcus, PA

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	750	2001 375 Utility filing fee	750.00
		1002	330	2002 165 Design filing	
		1003	520	2003 260 Plant filing fee	
		1004	750	2004 375 Reissue filing	
		1005	160	2005 80 Provisional filing fee	
SUBTOTAL (1)					(\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1202	18	2202 9 Claims in excess of 20	
		1201	84	2201 42 Independent claims in excess of 3	
		1203	280	2203 140 Multiple dependent claim, if not paid	
		1204	84	2204 42 ** Reissue independent claims over original patent	
		1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	2051 65 Surcharge - late filing fee or oath	
		1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
		1053	130	1053 130 Non - English specification	
		1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
		1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
		1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
		1251	110	2251 55 Extension for reply within first month	
		1252	410	2252 205 Extension for reply within second month	
		1253	930	2253 465 Extension for reply within third month	
		1254	1,450	2254 725 Extension for reply within fourth month	
		1255	1,970	2255 985 Extension for reply within fifth month	
		1401	320	2401 160 Notice of Appeal	
		1402	320	2402 160 Filing a brief in support of an appeal	
		1403	280	2403 140 Request for oral hearing	
		1451	1,510	1451 1,510 Petition to institute a public use proceeding	
		1452	110	2452 55 Petition to revive - unavoidable	
		1453	1,300	2453 650 Petition to revive - unintentional	
		1501	1,300	2501 650 Utility issue fee (or reissue)	
		1502	470	2502 235 Design issue fee	
		1503	630	2503 315 Plant issue fee	
		1460	130	1460 130 Petitions to the Commissioner	
		1807	50	1807 50 Processing fee under 37 CFR § 1.17(q)	
		1806	180	1806 180 Submission of Information Disclosure Statement	
		8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
		1809	750	2809 375 Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810	750	2810 375 For each additional invention to be examined (37 CFR § 1.129(b))	
		1801	750	2801 375 Request for Continued Examination (RCE)	
		1802	900	1802 900 Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Name (Print/Type)	KURT C. BRISCOE	Registration No. (Attorney/Agent)	33,141	Telephone	(212) 808-0700
Signature		Date	6-19-03		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

APPLICANT: **Dr. Sebastian VOGT, et al**

TITLE: **PHARMACEUTICAL PREPARATION WITH RETARDING ACTIVE  
INGREDIENT RELEASE, METHOD FOR ITS PRODUCTION AND ITS USE**

**EXPRESS MAIL CERTIFICATE**

“Express Mail” mailing label number EV 208799437 US

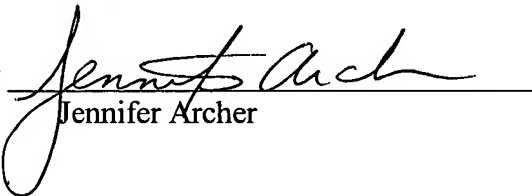
Date of Deposit June 20, 2003

I hereby certify that the following items:

1. Utility Patent Application Transmittal
2. Application Data Sheet
3. Fee Transmittal Form in duplicate **CHARGE DEPOSIT ACCOUNT**
4. Specification consisting of description (pages 1-6); 8 Claims (pages 7-8) Abstract (page 9)
5. Information Disclosure Statement
6. Form PTO 1449
7. Copy of cited Reference - EP 0 611 571 B1 and Abstract
8. Transmittal of Priority Document
9. Certified Copy of Priority Document No. 102 27 914.4
10. Return Receipt Postcard

are being deposited with the United States Postal Services “Express Mail Post Office to Addressee” service under 37 CFR 1.10 on the date indicated above and is addressed to the: Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

NORRIS, McLAUGHLIN & MARCUS, P.A.

By   
Jennifer Archer